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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/942,168	10/01/97	LIU J	MNFRAME.040A

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EXAMINER	
BADERMAN, S	
ART UNIT	**PAPER NUMBER**
2785	20

DATE MAILED: 06/07/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

PTO-90C (Rev. 2/95)

1- File Copy

Office Action Summary

Application No.	Applicant(s)
08/942,168	Liu et al.
Examiner	**Group Art Unit**
Scott T. Baderman	2785

☒ Responsive to communication(s) filed on *Mar 20, 2000*.

☒ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) *1-44* is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-44* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐approved ☐disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). *9, 14, 15, 19*

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Examiner: Scott T. Baderman

United States Department of Commerce

Patent and Trademark Office

Washington, D.C. 20231

DETAILED ACTION

Information Disclosure Statement

1. The Information Disclosure Statements (IDSs) filed on June 21, 1999 (paper number 8) and August 23, 1999 (paper number 9) do not contain copies of certain non-patent literature therein. These documents will not be considered until copies are provided. Also, it is noted that the redundant documents throughout the multiple IDSs have been crossed out.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-6, 24, 30, 35 and 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sun Microsystems Computer Company, "Solstice SyMON User's Guide" (hereinafter " SyMON") in view of Lidgett et al. (5,768,496).

As in claims 1 and 2, SyMON describes an invention for reporting a failure in a computer system. SyMON "identifies hardware and software conditions quickly", Page 1-1 (detects a system failure condition). In SyMON data (such as the "state of its components" - failure information, SyMON page 1-2) that is gathered by the Data Capture Layer (see SyMON page 1-2) is transmitted to the Management Application Program (see SyMON page 1-3). This information is saved (the current state is always saved), and failure information is saved to a log file (SyMON page 1-3). The Event Handler is responsible for reporting the occurrence of an event to the CPU. However, SyMON does not clearly disclose the step of transmitting the failure information to an independent functional system recorder. Lidgett discloses a system and method for logging fault information, wherein the fault information in stored in an independent functional system recorder (e.g., an EEPROM) (see entire patent).

It would have been obvious to a person skilled in the art at the time the invention was made to include a means and step for transmitting failure information to an independent functional system recorder into the system and method taught by SyMON above. This would have been obvious because Lidgett clearly teaches that by logging fault information into an independent recorder the fault information is preserved in the event that something happens in which the fault

information could be harmed (e.g., a power failure, etc.) (see entire patent). A person skilled in the art would have clearly seen the advantages that are attributed by storing fault information into an independent recorder, as was taught by Lidgett, and been led to incorporate a similar recorder into the system and method taught by SyMON above.

As in claims 3 and 4, SyMON discloses a Graphical User Interface (see SyMON page 1-3) which is responsible for notifying an operator of a failure through the use of displaying a message on the monitor coupled to the system.

As in claim 5, SyMON maintains a "log file of Solstice SyMON-detected conditions for future analysis" (page 1-2) which implies that the system operator is capable of accessing the failure information from the system log.

As in claim 6, SyMON records the time that events occur (page 1-3).

As in claim 24, SyMON and Lidgett disclose the method in claims 1, 3 and 4 which contain similar limitations like that in claim 24.

As in claims 30, 35 and 41, SyMON "identifies hardware and software conditions quickly", Page 1-1 (detects a system failure condition). In SyMON data (such as the "state of its

components" - failure information, SyMON page 1-2) that is gathered by the Data Capture Layer (see SyMON page 1-2) is transmitted (via a modem) to the Management Application Program (which typically runs on a different machine in the network) (see SyMON pages 1-2 and 1-3). This information is saved (the current state is always saved), and failure information is saved to a log file with time values (SyMON page 1-3). The Event Handler is responsible for reporting the occurrence of an event to the CPU. In SyMON, the Graphical User Interface (see SyMON page 1-3) is responsible for notifying an operator (which typically is on a remote computer), of a failure through the use of displaying a message on the monitor coupled to the system. The user is also able to view the system log information. However, SyMON does not clearly disclose transmitting the failure information to an independent functional system recorder. Lidgett discloses a system and method for logging fault information, wherein the fault information in stored in an independent functional system recorder (e.g., an EEPROM) (see entire patent).

It would have been obvious to a person skilled in the art at the time the invention was made to include a means and step for transmitting failure information to an independent functional system recorder into the system and method taught by SyMON above. This would have been obvious because Lidgett clearly teaches that by logging fault information into an independent recorder the fault information is preserved in the event that something happens in which the fault information could be harmed (e.g., a power failure, etc.) (see entire patent). A person skilled in the art would have clearly seen the advantages that are attributed by storing fault information into

an independent recorder, as was taught by Lidgett, and been led to incorporate a similar recorder into the system and method taught by SyMON above.

As in claims 42 and 43, SyMON discloses that one operation that the Event Handler performs is to notify an operator of a failure via the Graphical User Interface (pages 1-3 and 1-4).

As in claim 44, SyMON discloses logging events and allows the operator to view these logs.

4. Claims 7-23, 25-29, 31-34 and 36-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over SyMON in view of Lidgett et al., as applied to claims 2, 24, 30 and 35 above, and further in view of Shigematsu et al. (5,432,715).

As in claims 7 and 8, SyMON and Lidgett disclose the system and method above. However, neither explicitly describe the process of event signal transmission. Shigematsu also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of a bit in a bit vector, it is understood that the status of devices will likely be represented as a bit in a bit vector. One

common polling technique is to have the sending device transmit an interrupt signal to the receiving device and then have the receiving device respond by reading the message stored by the sending device.

It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU. A person of ordinary skill in the art would have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

As in claims 9 and 10, SyMON and Lidgett disclose the system and method above. However, neither explicitly describe the process of event signal transmission. Shigematsu also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of a bit in a bit vector, it is understood that the status of devices will likely be represented as a bit in a bit vector. One common polling technique is to have the receiving device check with a register of the sending device at periodic intervals to see if a message is waiting.

It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU. A person of ordinary skill in the art would

have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

As in claims 11, 12 and 13, SyMON and Lidgett disclose the system and method above. However, neither explicitly describe the process of event signal transmission. Shigematsu also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of a bit in a bit vector, it is understood that the status of devices will likely be represented as a bit in a bit vector. One common polling technique is to have the sending device transmit an interrupt signal to the receiving device and then have the receiving device respond by reading the message stored by the sending device. Both SyMON and Shigematsu include reporting the occurrence of an event to a computer via a remote interface. It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU. A person of ordinary skill in the art would have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

As in claims 14 and 15, Both SyMON and Shigematsu are designed to notify an operator of the failure, through a display message on a monitor.

As in claim 16, SyMON provides for a log of failure information which can be viewed by an operator.

As in claims 17 and 18, SyMON and Lidgett disclose the system and method above. However, neither explicitly describe the process of event signal transmission. Shigematsu also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of a bit in a bit vector, it is understood that the status of devices will likely be represented as a bit in a bit vector. One common transmission technique is to have the sending device transmit a ready to read signal to the receiving device and then have the receiving device respond by reading the message stored by the sending device. Both Shigematsu and SyMON (see page 1-2 "the MAP ... typically runs on a different machine in the network) can report error events to a remote computer, within the network. It is understood that network communications can be performed via modem to modem connections.

It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU. A person of ordinary skill in the art would have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

As in claim 19, SyMON, Lidgett and Shigematsu disclose the system and method above. It is inherent that in order for communications devices to communicate with another, they must first establish a connection. For a modem connection, this would be performed by calling the phone number connected to the other computer.

As in claim 20, An implied component of any computer-to-computer connection involves verification of access authority.

As in claims 21 and 22, Both SyMON and Shigematsu are designed to notify an operator of the failure, through a display message on a monitor.

As in claim 23, SyMON provides for a log of failure information which can be viewed by an operator.

As in claims 25 and 26, SyMON and Lidgett disclose the system and method above. However, neither explicitly describe the process of event signal transmission. Shigematsu also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of a bit in a bit vector, it is

understood that the status of devices will likely be represented as a bit in a bit vector. One common polling technique is to have the sending device transmit an interrupt signal to the receiving device and then have the receiving device respond by reading the message stored by the sending device.

It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU. A person of ordinary skill in the art would have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

As in claims 27 and 28, SyMON and Lidgett disclose the system and method above. However, neither explicitly describe the process of event signal transmission. Shigematsu also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of a bit in a bit vector, it is understood that the status of devices will likely be represented as a bit in a bit vector. One common polling technique is to have the receiving device check with a register of the sending device at periodic intervals to see if a message is waiting.

It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU. A person of ordinary skill in the art would

have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

As in claim 29, SyMON monitors the state of its hardware components. Page 3-5 further indicates that temperature is a monitored property.

As in claims 31 and 32, SyMON and Lidgett disclose the system and method above. However, neither explicitly describe the process of event signal transmission. Shigematsu also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of a bit in a bit vector, it is understood that the status of devices will likely be represented as a bit in a bit vector. One common polling technique is to have the sending device transmit an interrupt signal to the receiving device and then have the receiving device respond by reading the message stored by the sending device.

It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU. A person of ordinary skill in the art would have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

As in claims 33 and 34, Both SyMON and Shigematsu are designed to notify an operator of the failure, through a display message on a monitor.

As in claim 36, SyMON and Lidgett disclose the system and method above. However, neither explicitly describe the process of event signal transmission. Shigematsu also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of a bit in a bit vector, it is understood that the status of devices will likely be represented as a bit in a bit vector. One common transmission technique is to have the sending device transmit a ready to read signal to the receiving device and then have the receiving device respond by reading the message stored by the sending device. Both Shigematsu and SyMON (see page 1-2 "the MAP ... typically runs on a different machine in the network) can report error events to a remote computer, within the network. It is understood that network communications can be performed via modem to modem connections.

It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU. A person of ordinary skill in the art would have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

As in claim 37, SyMON, Lidgett and Shigematsu disclose the system and method above. It is inherent that in order for communications devices to communicate with another, they must first establish a connection. For a modem connection, this would be performed by calling the phone number connected to the other computer.

As in claim 38, An implied component of any computer-to-computer connection involves verification of access authority.

As in claims 39 and 40, Both SyMON and Shigematsu are designed to notify an operator of the failure, through a display message on a monitor.

Response to Arguments

5. Applicant's arguments with respect to claims 1-44 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's declaration necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott T. Baderman whose telephone number is (703) 305-4644.

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications; please mark "EXPEDITED PROCEDURE")

Or:

(703) 305-3718 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

STB

June 2, 2000

ROBERT W. BEAUSOLIEL, JR.
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GROUP 2700